

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

RECEIVED  
U.S. DISTRICT COURT  
★ DEC 13 2014  
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BROOKLYN OFFICE

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ESTHER JEAN BART

Plaintiff,

-against-

FREMONT INVESTMENT & LOAN  
MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC., and JOHN DOE # 1-3,

Defendants.  
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**ORDER**

12-CV-6134 (WFK) (RML)

**WILLIAM F. KUNTZ, II, United States District Judge**

This action was filed on December 12, 2012. (Dkt. 1). On December 20, 2012, Plaintiff was granted leave to proceed *in forma pauperis*, and on April 8, 2013, Plaintiff was ordered to provide the proper address for service on the named Defendant. (Dkts. 4, 6). The April 8, 2013 order warned Plaintiff that if she did not provide that address by May 3, 2013, the complaint would be dismissed pursuant to Fed. R. Civ. P. 4(m). (Dkt. 6).

On June 13, 2013, Magistrate Judge Robert M. Levy filed a Report and Recommendation. (Dkt. 7). That Report and Recommendation recounted the history of the case; stated that Plaintiff had failed to comply with the April 8, 2013 order; and recommended that the action be dismissed for lack of prosecution. (*Id.*). No objections have been filed to the June 13, 2013 Report and Recommendation, and the time to do so has passed.

The Court concludes that the Report and Recommendation is not facially erroneous and thus adopts it in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007) (clear error review is proper when no objection to the Report and Recommendation has been filed). Accordingly, it is hereby ordered that this case be dismissed without prejudice for lack of prosecution. The Clerk of Court is directed to mark the case closed.

SO ORDERED.

/S/ Judge William F. Kuntz, II

  
HON. WILLIAM F. KUNTZ, II.

United States District Judge

Dated: March 13, 2014

Brooklyn, New York